

ATTORNEY'S DOCKET NUMBER: 27062U

MAIL STOP PCT

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: OCTOBER 14, 2005
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPL. NUMBER: (if known): Not Yet Assigned <b>107553443</b>
INTERNATL. APPL. NUMBER: PCT/EP2004/003849	INTERNATL. FILING DATE: 13 APRIL 2004 (13.04.2004)	PRIORITY DATE CLAIMED: 17 APRIL 2003 (17.04.2003) DE
TITLE OF INVENTION: PLANAR IMPLANT AND SURGICAL USE THEREOF		
APPLICANT(S) FOR DO/EO/US: ODERMATT, Erich, K.; ABELE, Wolfgang; WEGMANN, Jürgen		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.      2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.      3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f))          The submission must include items(5), (6), (9) and (21) indicated below.      4. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):           a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).          b. <input type="checkbox"/> has been communicated by the International Bureau.          c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)      5. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).      6. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))          a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).          b. <input type="checkbox"/> have been communicated by the International Bureau.          c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.          d. <input checked="" type="checkbox"/> have not been made and will not be made.      7. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).      8. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).      9. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 10 to 19 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
10. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 11. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 12. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 13. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 17. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) 18. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 19. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2004/093737 A1; INTERNATIONAL PUBLICATION DATE: 04 NOVEMBER 2004 (04.11.2004), WHICH CONSISTS OF 28 PAGES: 1 PAGE FOR THE COVER SHEET, 1 PAGE FOR THE TRANSLATOR'S VERIFICATION OF ACCURACY; 19 PAGES OF TEXTUAL SPECIFICATION, 4 PAGES OF 28 CLAIMS, 1 PAGE OF THE ABSTRACT, 2 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT (PCT/IB/304); PCT REQUEST (PCT/RO/101); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.		

1003 Reg'd PCT/PTO 14 OCT 2005

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<p>The following fees are submitted:</p> <p>20. Basic National Fee ..... \$ 300.00</p> <p>21. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) ..... \$ 100.00 All other situations ..... \$ 200.00</p> <p>22. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office ..... \$ 400.00 All other situations ..... \$ 500.00</p> <p>— Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</p> <p><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>																																																																																
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<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER: FILED</th> <th>NUMBER: EXTRA</th> <th>RATE</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>28-20=</td> <td>8</td> <td>x \$ 50.00</td> <td>\$ 400.00</td> <td></td> </tr> <tr> <td>INDEPENDENT</td> <td>1- 3=</td> <td>0</td> <td>x \$ 200.00</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="3">Multiple dependent claims(s) (if applicable)</td> <td>+ \$360.00</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 1,300.00</td> <td></td> </tr> <tr> <td colspan="4">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="4"><b>SUBTOTAL =</b></td> <td>\$ 1,300.00</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL NATIONAL FEE =</b></td> <td>\$ 1,300.00</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).      \$40.00 per property +</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$ 1,300.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>Amount to be: refunded</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td>charged</td> <td>\$</td> </tr> </tbody> </table>						CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE			TOTAL	28-20=	8	x \$ 50.00	\$ 400.00		INDEPENDENT	1- 3=	0	x \$ 200.00	\$ 0.00		Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00		<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,300.00		Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00		<b>SUBTOTAL =</b>				\$ 1,300.00		Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00		<b>TOTAL NATIONAL FEE =</b>				\$ 1,300.00		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).      \$40.00 per property +				\$ 0.00		<b>TOTAL FEES ENCLOSED =</b>				\$ 1,300.00						Amount to be: refunded	\$					charged	\$		
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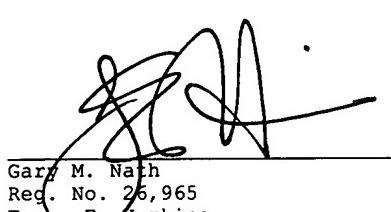
a.  A check in the amount of \$ 1,300.00 to cover the above fees is enclosed.  
 b.  Please charge my Deposit Account Number: 14-0112 in the amount of \$ to cover the above fees. (A duplicate copy of this sheet is enclosed.)  
 c.  The Commissioner is hereby authorized to charge any additional fees, which June be required, or credit any overpayment to Deposit Account Number: 14-0112.  
 d.  Fees are to be charged to a credit card  WARNING: Information on this form June become public  Credit Card Information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
 1030 15<sup>th</sup> St., N.W., 6<sup>th</sup> Fl.,  
 Washington, D.C. 20005-1503

(202) 775-8383 (phone)  
 (202) 775-8396 (fax)



Gary M. Nath  
 Reg. No. 26,965  
 Tanya E. Harkins  
 Reg. No. 52,993  
 Customer No. 20529

10/553 443  
JC04 Rec'd PCT/PTO 14 OCT 2005

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Attorney Docket: 27062U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ODERMATT, et al.

Appl. No.: Not Yet Assigned

Filed: October 14 2005

Internatl. Appl. No.: PCT/EP2004/003849

Internatl. Filing Date: 13 April 2004. (13.04.2004)

Title: PLANAR IMPLANT AND SURGICAL USE THEREOF

TRANSMITTAL LETTER

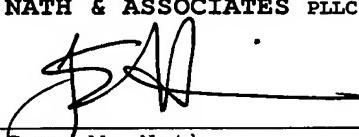
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- (2) International Publication Number: WO 2004/093737 A1; International Publication Date: 04 November 2004 (04.11.2004), which consists of 28 pages:
  - 1 page for the Cover Sheet,
  - 1 page for the Translator's Verification of Accuracy,
  - 19 pages of Textual Specification,
  - 4 pages of 28 Claims,
  - 1 page of the Abstract,
  - 2 sheets of Drawings;
- (3) Preliminary Amendment with Attachment A to be Examined;
- (4) Unexecuted Declaration and Power of Attorney;
- (5) Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304);
- (6) PCT Request (PCT/RO/101);
- (7) Check No.: 1094 in the Amount of \$ 1,300.00 for the Basic Filing Fee, which includes the Search and Examination Fees (900.00), and for 8 Total Claims over 20 (400.00), as a Large Entity;
- (8) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**



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By:

Gary M. Nath  
Reg. No. 26,965  
Tanya E. Harkins  
Reg. No. 52,993  
Customer No. 20529

Date: October 14, 2005

**NATH & ASSOCIATES PLLC**  
1030 15<sup>th</sup> St., N.W., 6<sup>th</sup> Fl.,  
Washington, D.C. 20005-1503  
Tel: 202-7758383  
Fax: 202-775-8396  
GMN/TH/le (Appl.NP)